

Oak Hill news

JUNE 2009

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5 Fire fighters test hill skills

NEWS FLASH

Public hearing on budget is July 16

A public hearing on the 2009–2010 budget for the City of Oak Hill is scheduled for July 16.

The hearing will begin immediately following the Planning Commission meeting, which starts at 5 p.m. at City Hall, 5548 Franklin Pike, Suite 102.

See page 3 for the proposed budget. 🌿

Additional police officers begin patrolling Oak Hill

Additional Metro police officers began patrolling Oak Hill streets Monday, June 1, to provide residents more safety.

“The extra patrols hired by the City of Oak Hill from the secondary employment division of Metro Police mean that our homes and streets will be safer,” Mayor Tommy Alsup said. “After a year that included passage of an enabling ordinance by the Metro Council and working out a contract, you will see more patrol cars in Oak Hill.”

Oak Hill Safety Coordinator Tommy Jacobs said the Metro police officers work in four-hour staggered shifts.

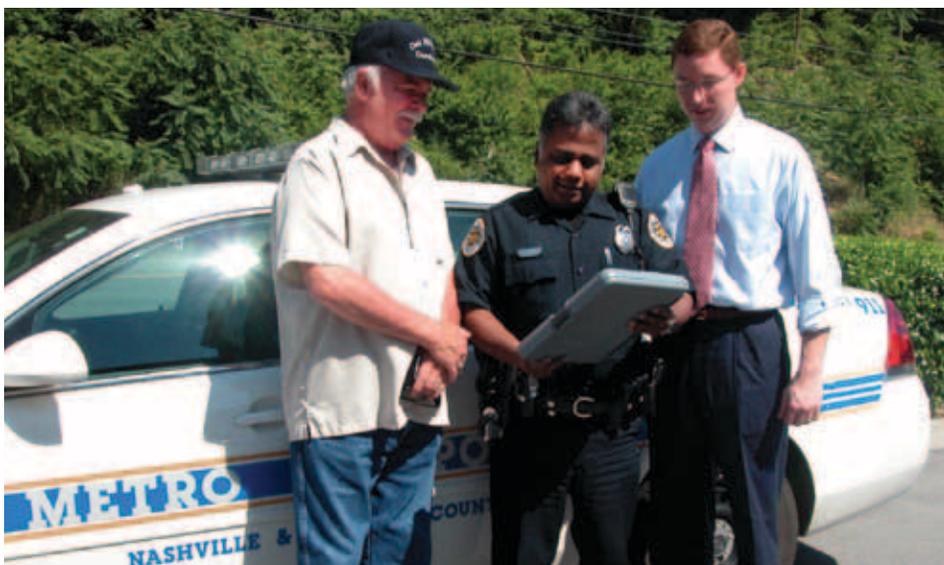
“The officers will be assigned by me to the ‘hot spots’ with excessive speeding or other traffic violations as well as other troubling incidents,” Jacobs said. “This is the same procedure that the flex unit for Metro follows.”

He said the times and areas to be patrolled will not be announced in advance, but “expect to see a Metro police car on every street in Oak Hill over the next few weeks.”

Jacobs recommended that Oak Hill residents advise their families—especially young drivers—and friends of the increased enforcement of traffic control including speed limit, stop signs, and traffic lights.

Residents can help

“Residents are encouraged to suggest areas where more patrols are needed by calling the Oak Hill office at 371-8291



Oak Hill Safety Coordinator Tommy Jacobs and Vice Mayor Austin McMullen go over shift assignments with Officer Jacob Paul.

or me at 557-7329,” Jacobs said

In addition to providing visibility, the officers will be available as first responders to all 911 calls but will return to their regular Oak Hill patrol when the emer-

gency is stabilized.

As contract workers for Oak Hill, they will not answer non-emergency calls, which will be handled by Metro shift officers assigned to this area, Jacobs said. 🌿

Alert neighbor helps nab burglary suspect

A man who allegedly burgled a house on Omandale Drive recently was apprehended with the help of an vigilant neighbor.

The suspect kicked in a door, setting off the alarm—a neighbor called police and the Oak Hill office. Police arrested a man on Nolensville Road with stolen jewelry.

“It is extremely important that you communicate what you see,” said Oak Hill Safety Coordinator Tommy Jacobs. “If you spot suspicious vehicles or persons in the neighborhood, don’t hesitate to call the office or me even if it doesn’t rise to the level of a crime.” 🌿

City of Oak Hill

Mayor

Tommy Alsup
Oak Hill Office: 371-8291

Vice Mayor

Austin McMullen 298-1492

Commissioner

Ray Throckmorton 255-3559

Planning Commission

Art McWilliams, chair

Mike Allison

Patricia Carlson

Judy Hoover

Trevor Howell

Annelle Rucker

Julia Wesley

The mayor, vice mayor, and commissioner also sit on this commission.

Board of Zoning Appeals

Tom Lawless, Chair

Steve Wasserman

City Attorney

Robert J. Notestine 297-1568

City Engineer

Collier Engineering 331-1441

City Manager

Kevin Helms 557-7672

Assistant City Manager

M.C. Sparks 509-4812

Safety Coordinator

Tommy Jacobs 557-7329

Administrative Assistant

Patrick Steiner 371-8291

Building Official

Bill Burdette 371-8291

Office

5548 Franklin Pike Suite 102

Hours

Monday through Friday

8:30 a.m. to 4:30 p.m.

www.oakhilltn.us

Meeting Dates

Third Thursday

Planning Commission,

Board of Commissioners Meeting

Oak Hill City Hall, 5548 Franklin Pike, 5 p.m.

Tuesday before Commissioners' Meeting

Board of Zoning Appeals

Oak Hill City Hall, 5548 Franklin Pike, 5 p.m.



Don't throw away this newsletter; recycle it!

State charter determines what city can, can't do

IN OUR previous newsletter, we discussed the history of professional local government management in the United States. In this issue, we will focus on the structure of local government in Tennessee.

Let me begin by saying that a city's charter is granted to it by the State of Tennessee. This document outlines what we may or may not do as a city. Under the charter, we may be given discretion on how to address certain issues. Local discretionary rules are adopted through ordinances.

There are three ways in which a local government may be created. These include by a Private Act, through General Law, or as a Home Rule entity. Under the Private Act, a city is created by action of the State of Tennessee General Assembly. Changes to the charter of these cities only affect the city to which the Private Act applies. A number of years ago the state ended the creation of cities by Private Act and only those who had a Private Act Charter at that time can continue to operate under one. Home Rule cities are similar to Private Act cities, but changes to the charter must be approved by a vote of the registered voters. Under a Private Act Charter, a two-thirds majority of the legislative body can vote twice to change the charter and with an approval vote by the General Assembly it is done.

The City of Oak Hill is established under a General Law Charter. If we desire a change to our charter, it must be approved by the General Assembly. This is a much more

complicated task to achieve because the change will affect all cities throughout the State of Tennessee that operate under the same General Law Charter. Therefore, it is likely to pass only if a majority of the cities in the state that operate under that charter also approve of the change.

Oak Hill's Charter

There are three types of General Law Charters; Mayor/Aldermanic, Manager/Commission, Modified Manager/Council. The City of Oak Hill operates under the Manager/Commission Charter. This charter is expressed word for word in Tennessee Code Annotated, Title 6, Chapters 18-29. When the City was founded, a vote was taken to organize under this charter. This is a popular form of government for cities our size in Middle and East Tennessee that want professional management.

In closing, we will look at how a government is to operate under the Manager/Commission form of government. We will focus upon the two main entities; the manager and the commission. The Board of Commissioners is elected by the people to be their voice on matters involving the city. In our case, the people elect three commissioners. The commission then elects from among themselves a mayor and vice mayor. A single commissioner has no authority outside of a commission meeting. It is by coming together as a board that the power to set policy falls upon these elected individuals. The commission's involvement

FROM THE CITY MANAGER

Kevin Helms



in personnel matters is limited to employing a city manager.

The commission should expect that staff will present them with all of the data that is needed to make a decision about policy. However, the role of staff stops short of actually making a policy decision. It is the policy-setting role that is critical in determining the operations of city government and it is through this action that elected officials represent their citizenry.

The staff, through the leadership of the manager, takes that policy and implements it through the day-to-day operations of the city. To maintain the separation of roles, professional organizations recommend that elected officials contact the manager and not give any direction directly to staff that would affect the day-to-day operations of the city. Likewise, staff members are not to take on a public role in issues that would infringe upon the arena of political policy making.

In summary, by setting policy the Board of Commissioner determines *what* will be done. By running the day-to-day operations of the city the staff, by direction of the manager, determines *how* it will be done.

Feel free to email me with questions on this topic. I would like to thank the University of Tennessee Municipal Technical Advisory Service for supplying information that assisted me in writing this article. 🌿

City of Oak Hill 2009–2010 Budget

REVENUES

Item	FY 2008 Actual	FY 2009 Estimated	FY 2010 Proposed
Building Permits	\$313,744	\$120,500	\$112,000
Sign Permits	\$0	\$0	\$0
Planning & Zoning Fees	\$0	\$0	\$1,750
Telecommunications Fee	\$0	\$0	\$600
Charges for Services	\$0	\$0	\$300
TVA In Lieu	\$43,874	\$45,320	\$45,500
State Sales Tax	\$337,636	\$317,000	\$325,000
Local Sales Tax	\$22,973	\$29,500	\$31,000
State Income Tax	\$929,023	\$320,000	\$300,000
Metro Road Funds	\$88,000	\$88,000	\$88,000
State Beer Tax	\$2,585	\$2,465	\$2,500
State Street Income	\$144,292	\$135,000	\$137,500
Interest	\$397,425	\$220,000	\$225,000
Miscellaneous	\$1,094	\$6,000	\$1,000
TOTAL	\$2,280,646	\$1,283,785	\$1,270,150

EXPENDITURES

Item	FY 2008 Actual	FY 2009 Estimated	FY 2010 Proposed
Employee Salaries	\$251,836	\$195,000	\$244,113
Employee Benefits	\$48,403	\$52,000	\$48,225
Board Salaries	\$10,800	\$16,200	\$16,200
Professional Services Salaries	\$0	\$67,000	\$37,500
Retirement	\$0	\$0	\$40,500
Other Professional Services	\$47,112	\$55,000	\$55,000
Public Relations	\$88,967	\$45,500	\$47,000
Office Supplies	\$19,588	\$14,500	\$20,000
Rent	\$30,885	\$24,000	\$34,000
Employee Health Insurance	\$0	\$9,100	\$37,907
Liability Insurance	\$15,151	\$12,971	\$13,000
Worker's Comp Insurance	\$0	\$5,688	\$5,750
Property Insurance	\$0	\$509	\$525
Surety Bonds	\$0	\$0	\$1,260
Election	\$5,885	\$0	\$6,000
Miscellaneous	\$38,904	\$15,000	\$7,500
Repair & Maintenance	\$0	\$3,025	\$5,000
Dues & Subscriptions	\$0	\$5,500	\$6,000
Training	\$0	\$1,000	\$2,500
Travel	\$0	\$1,500	\$4,500
Auto Allowance	\$15,834	\$1,700	\$2,000
Legal Notices	\$0	\$2,500	\$2,500
Police Patrols	\$0	\$3,000	\$47,000
Utilities	\$0	\$9,600	\$13,000
Debt Service	\$0	\$0	\$0
Operating Expenses	\$573,365	\$540,293	\$696,980
Capital Outlay	\$4,668	\$0	\$12,000
Street Supplies	\$0	\$6,000	\$7,000
ROW Mowing	\$0	\$41,000	\$41,000
Street Lighting	\$33,178	\$42,000	\$42,000
PW Emergency	\$281,808	\$35,000	\$37,000
Chipper Contracting	\$38,502	\$162,000	\$162,000
Street Repair & Maintenance	\$0	\$50,000	\$50,000
Snow/Salt Contracting	\$30,385	\$23,750	\$24,750
Professional Svc.	\$51,031	\$4,500	\$35,500
Operating Expenses	\$434,904	\$364,250	\$399,250
Capital Outlay	\$72,684	\$129,600	\$25,000
Opt. Trn. Sanitation Fund	\$289,992	\$289,992	\$289,992

Item	FY 2008 Actual	FY 2009 Estimated	FY 2010 Proposed
Total Operating Expenses	\$1,298,261	\$1,194,535	\$1,386,222
Total Capital Outlays	\$77,352	\$129,600	\$37,000
GRAND TOTAL	\$1,375,613	\$1,324,135	\$1,423,222

Item	FY 2008 Actual	FY 2009 Estimated	FY 2010 Proposed
Employees	4	4	4
Beginning Fund Balance	\$6,709,848	\$7,614,881	\$7,574,531
Revenues	\$2,280,646	\$1,283,785	\$1,270,150
Expenditures	(\$1,085,621)	(\$1,034,143)	(\$1,133,230)
Other	(\$289,992)	(\$289,992)	(\$289,992)
Ending Fund Balance	\$7,614,881	\$7,574,531	\$7,421,459

Finances in good shape despite the economy

As I am sure you are aware, the economy has created a number of problems for local government budgets throughout the country. While we are no different in some respects, we are fortunate to have a very strong fund balance. This is the result of decades of sound financial management and it is the reason that we are well positioned to weather downturns in the economy like we are currently experiencing.

Predicting the budget is difficult since our primary source of income lags the budget process by approximately 15 months. We are expecting a reduction this year in both the Hall Income Tax and in State Shared Sales Tax. These are the two largest revenue sources for the City. We have also seen a substantial decline in our return on invested funds. As a result, we are likely to use some of the reserve funds that we have accumulated to operate in the coming year. While this raises concerns, those concerns are diminished by the realization that the City of Oak Hill has netted over \$1.2 million in the past three fiscal years alone, and this budget will use only 2% of our total fund balance. Our projected fund balance of over \$7.4 million will still remain well above where it was in July 2007.

With the expectation the economy will improve within the next 18 months, this should be either the last or next to last year we will make use of our reserves. Once the economy recovers, we will once again be able to add to our reserves. Since we have substantial assets with no debt obligations, our fortunes will recover quickly once interest rates begin to rise. This is a move that is expected within the next 12 months.

I want to assure you that we are closely watching the financial status of the City and will make changes if we feel they are needed. However, we believe that the state of our finances is such that you can continue to enjoy the benefits of living in Oak Hill without service delivery cuts, increased fees, or the imposition of taxes. We are especially proud of this fact since many local governments throughout the nation cannot say the same.

—Kevin Helms

Sound wall construction raised concerns about cost, benefits

Several people have asked me questions about the recent unanimous decision of all three members of the Board of Commissioners not to move forward with construction of a sound wall in the northern portion of Oak Hill. Although I can speak only for myself and not the other Commissioners, I want to share some of the concerns expressed in hopes this will answer these questions.

The issue before the Board of Commissioners at our April meeting was whether to approve an engineering contract to design a sound wall only for the area north of Harding Place along I-65. The engineering cost for both north and south sound walls was estimated to be approximately \$100,000. The ultimate cost to build a sound wall north of Harding Place was estimated to be \$4 million.

I had a number of concerns. First, the sound wall would only be built north of Harding Place. There are almost as many residents of Oak Hill living south of Harding Place who face the same noise issues. This proposal would have done nothing to help them, and fairness would require that we help all residents who are dealing with this issue.

Second, the cost of the project was too high given the limited resources available to the City of Oak Hill and the lack of other funding sources for the project. This sound wall, only for the northern section of the city, would have cost approximately two-thirds of the city's savings. There was discussion of funding the project by borrowing the money. Oak Hill currently has no debt. Borrowing this money would have cost the city 20% to 30% of its projected budget over each of the next 30 years. I could not agree to spend such a large percentage of Oak Hill's savings or strap Oak Hill with such a significant debt burden on a project that would benefit a relatively small portion of the entire city.

This concern is heightened by the fact that Oak Hill relies on unpredictable state-shared revenue for the lion's share

of its budget. Bills are introduced almost every year in the legislature to eliminate or reduce the revenue that is shared with cities. If such a bill were enacted after we built the proposed sound wall, we would not have savings to continue the functions performed by Oak Hill or the revenue to service the debt incurred building the sound wall.

I also have concerns with the limited benefit a sound wall will actually provide. One study indicated that almost all of the benefit from a sound wall is for the first row of houses closest to the wall. Another study indicated that more than 200 feet from a sound wall, wind (instead of the wall itself) is the greatest factor in determining the sound level. Sound walls are not effective to prevent sound from reaching houses at a higher elevations—certainly an issue in Oak Hill—and may actually amplify the sound going in the direction of those houses. Reviewing these studies, it is apparent that sound walls are not a panacea for the noise problems near I-65.

These noise problems were created by the state and federal governments that built and expanded I-65, which is actually located outside Oak Hill. Although Oak Hill did not create these noise problems, Oak Hill was being asked to pay approximately 85% of the cost to build the proposed northern sound wall. We would like to help all of our residents who live along I-65 and suffer from noise problems, but this did not strike me as a fair proposal.

Right-of-way problem

Additionally, TDOT indicated the sound walls could not be built on TDOT's right-of-way. As a result, this sound wall would have to be built on private property through easements given by homeowners. There are some areas, however, in which there is no private homeowner abutting I-65, such as the area south of the Oak Hill Assembly of God. Sound walls could not be built in these

FROM THE
VICE MAYOR

Austin McMullen



areas. Moreover, one or two homeowners who did not want the sound wall built or who demand an exorbitant amount for an easement along their property could destroy the entire project.

Finally, concerns were expressed as to whether awarding the contract might involve a conflict of interest.

Resources should benefit all

If we had significantly more funds and greater financial backing from the state and federal governments, we would have been more receptive to this proposal. However, given the limited funds available to the city, I believe our resources are better used in a way that benefits more of our citizens, such as through increased police patrols, twice-weekly backdoor trash pick-up, monthly brush and limb pick-up, and continued local control over planning and zoning decisions.

Following the April vote, at the suggestion of Commissioner Throckmorton, City Manager Kevin Helms has investigated using vegetation to reduce I-65 noise. A study of this "greenwall" concept found that 200 feet of dense vegetation would be necessary for a significant reduction in sound. "It is often impractical to plant enough vegetation along a road to achieve such reductions," the study stated, "however, if dense vegetation already exists, it could be saved." According to the study, planting vegetation of insufficient density or with a width of less than 200 feet would only provide "psychological relief."

Oak Hill will continue to work for sound walls to benefit our residents, but it will require more cooperation from the state and federal government. If you are concerned about this issue, you can help by contacting your state and federal representatives to ask that they provide funding for sound walls along I-65. 🌿



Drill tests fire-fighting in the hills

Fire fighters from the Nashville Fire Department conducted a fire drill Saturday, June 13 on Villa Crest Drive to demonstrate their ability to handle fires in a hilly area where water pressure is low.

Four pumper trucks from the Green Hills and 12 South fire stations participated in the event, which doubled as a training exercise. Each of the four pumpers dropped 500 to 600 feet of high-capacity five-inch fire hose to relay water from the hydrant next to the pumping station at the foot of the Villa Crest hill up to the top of the hill.

“We wanted to reassure residents that we would be able to put out a fire, even when a home is located on top of a steep grade,” NFD public information officer Charles Shannon said. “The demonstration

was successful, and residents in the neighborhood can be reassured.”

More than a dozen residents from Villa Crest and the surrounding neighborhoods watched the demonstration and gathered in the driveway of Mike and Diane Allison afterward for questions and answers. One concern of the residents was whether the level of water pressure present during the 22-minute display could be sustained for the duration

of a real fire. District Fire Chief Mike Franklin assured them the pressure could be sustained for a prolonged period.

The fire fighters represented the same team that battled a fire at the Chang residence on Villa Crest on January 3. The drill was conducted partially as demonstration of improvements since the January fire. Since then, fire hydrants on Villa Crest have been repainted, and five-inch water hoses were used instead of four inch. 🌿



Commissioners approve architectural study of Glen Leven

The City of Oak Hill will fund a proposal from Tuck Hinton Architects to study the Glen Leven mansion.

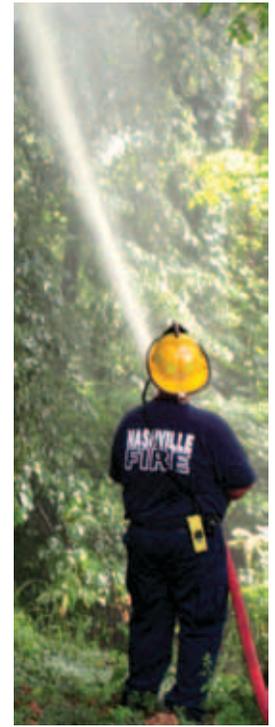
At the request of the Land Trust for Tennessee, the study will examine the status of the 150-year-old mansion and recommend potential uses of

the house and property. The recommendations will take into consideration the terms of the previous owner’s will and compliance with Oak Hill zoning regulations.

The Glen Leven estate on Franklin Pike was bequeathed to the Land Trust in 2007 by

Susan McConnell West. Her will stipulates that the land can never be developed or subdivided.

The 65 acres is the largest piece of Nashville’s Civil War battlefield still intact and is a treasure to be preserved, said Mayor Tommy Alsup. 🌿



Two fire trucks roll into the neighborhood, above left. A fire fighter tests hose pressure, above. Neighbors chats with District Fire Chief Mike Franklin, below.

Sign up for news updates, CrimeWatch

Oak Hill offers two updates by email, City News and CrimeWatch.

To receive news about Oak Hill and important information about crime in your neighborhood from Oak Hill Safety Coordinator Tommy Jacobs, visit www.oakhilltn.us and click **Get news updates by email** at the top of the home page. You can choose City News, CrimeWatch, or both. You can unsubscribe at any time. 🌿

QUICK CALL LIST



CITY OF OAK HILL

5548 Franklin Pike #102
371-8291 FAX 373-6886
www.oakhilltn.us

SOLID WASTE SERVICES

Chipper Service

Jackaroo: 371-8291

Garbage Pickup

Clean Earth Sanitation: 371-8291

Snow and Ice

Management Service

Mid Tennessee Erosion Control:
371-8291

Public Street Repairs, Street Signage, and Drainage Maintenance

City Office: 371-8291

Dead Animal Removal

City Office: 371-8291

After Hours: 862-8971

Emergency: 911

Non-Emergency Fire: 327-1300

Non-Emergency Police: 862-8600

West Sector Patrol: 862-7747

Oak Hill Safety Coordinator: 557-7329



Unofficial summary

Board of Zoning Appeals

May 19, 2009

- Confirmed that Father Ryan High School has fulfilled the requirements outlined in the 2006 Conditional Use Permit by obtaining a lighting consultant and creating a plan from those recommendations to control impact on nearby residences. Father Ryan High School and the Board of Zoning Appeals came to agreement on the operating hours for the stadium: Activities will cease and lights be off no later than 10 p.m. on Mondays, Tuesdays, and Wednesdays; no later than 11 p.m. on Thursdays, Fridays, and Saturdays; and no after-dark activities on Sundays.

Unofficial summary

Board of Commissioners

June 18, 2009

- Approved 2-1 funding request of \$55,000 from Land Trust for Tennessee for architectural study of Glen Leven.
- Approved up to \$4,000 in matching funds with Tennessee Valley Authority to replant TVA easement between Redwood and Forest Hills drives with trees that do not grow above 20 feet. Homeowners will be responsible for keeping trees trimmed to that height.
- Passed budget for fiscal year 2009-2010 on first reading and set public hearing and second reading for July 16.

- Adopted continuing budget resolution based on the Municipal Technical Advisory Service format to keep operating at the 2008-2009 level until July 18.

- Approved a series of line item changes with zero net effect in the 2008-2009 budget.

- Died for lack of a second a motion to investigate whether charges in the ethics complaint have merit. Consideration of the complaint will be on the agenda for the July 16 meeting.

- City Manager reported that there is significant interest in the Request for Qualifications for City Engineer position.

- City attorney provided updates on outstanding legal matters including the city's position in the VanBeCo bankruptcy/foreclosure proceedings.

- Safety coordinator said Metro Police have worked 14 four-hour shifts since June 1 concentrating on speeding, stop signs, and illegal parking on streets. Warnings have been issued and one arrest for an outstanding warrant.

May 21, 2009

- Acknowledged receipt of ethics complaint.

- Learned from City Manager Kevin Helms that he is gathering more information about a product for constructing a sound wall that has a filler of recycled materials that will absorb sound. He estimates the cost at about half the price of a concrete wall which bounces the sound back onto the highway. Based on his research, he said a foliage barrier is not practical in that there is not enough property available for it to be dense enough to lower the decibel sound level significantly.

- Approved update to the current resolution concerning participation in the Tennessee Municipal League Risk Management Pool Insurance Program which was adopted by Oak Hill several

years ago.

- Heard that City Manager is continuing to gather information on expansion of office space.

- Asked for more information from the Land Trust for Tennessee concerning the \$55,000 engineering/architectural study of Historic Glen Leven before assisting financially.

- Heard from City Manager that:

1. Request for Qualifications for engineering services are expected to be published and circulated by the end of the June.
2. Budget for 2009-2010 scheduled to be presented for first reading at June meeting with public hearing and second reading in July.
3. Contract for hiring off-duty Metro Police Officers has been signed by various parties and will be effective when Metro Legal Department gives final approval.
4. Van Beccelaere litigation is ongoing.

- Safety Coordinator Tommy Jacobs reported that:

1. Two burglars had been apprehended and are off the streets.
2. Nothing was taken in break-ins in the Churchwood Drive area, apparently committed by the same group responsible for break-ins last summer.
3. He received and addressed issues from 37 calls during the month.
4. He attended 10 meetings outside of Oak Hill.
5. He conducted two training sessions for Metro Police Officers interested in patrolling Oak Hill as secondary employment.

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You can find agendas, unofficial summaries, and minutes of Oak Hill board and commission meetings at

www.oakhilltn.us

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